



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No.

FOLEY & LARDNER  
FIRSTAR CENTER  
777 EAST WISCONSIN AVENUE  
MILWAUKEE, WI 53202-5367

**COPY MAILED**

SEP 20 2004

**OFFICE OF PETITIONS**

In re Application of :  
Gregory J. Sesselemañ :  
Application No. 10/713,686 :  
Filed: November 14, 2003 : NOTICE  
Attorney Docket No. :  
073328-0156 :


This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED.**

This file is an Image File Wrapper file and, as such, no forwarding of the file is necessary. Examination of the application in Technology Center Art Unit 3765 will proceed in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.

  
Derek L. Woods  
Petitions Attorney  
Office of Petitions